SP 17 2004

Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031

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SB/21 (02-04) 4B 0651-0031 COMMERCE	She

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PADEMAR		Application Number	10/038,038			
	TRANSMITTAL		Filing Date	Januar	y 2, 2002	2
	FORM		First Named Inventor	Ryan F	Ryan Rakvic et al.	
(to	be used for all correspondence after initial	filing)	Art Unit	2111		
			Examiner Name	Kenne	th S. Kim	
Tot	al Number of Pages in This Submission	6	Attorney Docket Number	42390.	P13150	
		ENC	LOSURES (Check all tha	at apply	)	
V	Fee Transmittal Form		Drawing(s)			After Allowance communication to Technology Center (TC)
	Fee Attached		Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC
~	Amendment/Reply		Petition			(Appeal Notice, Brief, Reply Brief)
			Petition to Convert to a Provisional Application			Proprietary Information
	Affidavita/declaration(s)		Power of Attorney, Revocation Change of Correspondence Add	Irace		Status Letter
	Affidavits/declaration(s)  Extension of Time Request		Terminal Disclaimer	11033		Other Enclosure(s) (please Identify below):
	Express Abandonment Request		Request for Refund			
	Information Disclosure Statement		CD, Number of CD(s)			
	Certified Copy of Priority Document(s)	Rema	rks			;
	Response to Missing Parts/					

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Signature

Date September 13, 2004

### **CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David N. Tran	1/	Ti)	
Signature		my	il.	Date September 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)

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Complete if Known

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

David N. Tran

Name (Print/Type)

Signature

TOTAL AMOUNT OF PAYMENT

(\$)	Λ	.00
lΦl	v.	·

Complete if Known			
Application Number	10/038,038		
Filing Date	January 2, 2002		
First Named Inventor	Ryan Rakvic et al.		
Examiner Name	Kenneth S. Kim		
Art Unit	2111	_	
Attorney Decket No.	42390 P13150		

Check	METHOD OF PAYMENT (check all that apply)				FEE	ECALCULATION (continued)	
Deposit Account:			3. ADDITIONAL FEES				
Deposit   Account   Number   Deposit   D	Order Control		ity	Small	Entity		
Document	Denosit					Fee Description	Can Daid
Deposit Account   Intel Corporation	Account   50-0221	***	· I				cee Faid
Account Name The Director is authorized to: (check all that apply) Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.  FEE CALCULATION 1. BASIC FILING FEE Large Entity Small Entity Fee Fee Fee Fee Fee Fee Pald Code (8) Co	Deposit Intel Corporation		- 1			Surcharge - late provisional filing fee or	
The Director is authorized to: (check all that apply)   Charge feels) indicated below   Codit any overpayments   1812 2,520   1812 2,520   For filing a request for ex parte reexamination   1804 920*   1805 1,84			, [	4052	120		
Charge levels indicated below   Clear any additional fee(s) or any underpayment of fee(s)   Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account.						· ·	
Charge any additional feets) or any underpayment of feets			- 1		-		
Total Claims		1001 01	~	1001	020		
1. BASIC FILING FEE   Large Entity   Small Entity   Fee Fee   Fee Fee   Fee Fee   Starte Claims   Ballow   Fee Paid   1.510		1805 1,84	40*	1805	1,840*		
1. BASIC FILING FEE   Large Entity   Small Entity   Fee Peal   1255   250   2253   475   Extension for reply within fird month   1254   1,480   2254   740   Extension for reply within fourth month   1254   1,480   2254   740   Extension for reply within fourth month   1255   2,010   2255   1,005   Extension for reply within fourth month   1401   330   2401   165   Notice of Appeal   1003   530   2003   265   Plant filling fee   1401   330   2401   165   Notice of Appeal   1402   330   2402   165   Filling a brief in support of an appeal   1402   330   2403   145   Request for oral hearing   1451   1,510   Petition to institute a public use proceeding   1451   1,510   1451   1,510   Petition to revive - unavoidable   1453   1,330   2453   665   Petition to revive - unavoidable   1453   1,330   2453   665   Petition to revive - unavoidable   1453   1,330   2453   665   Petition to revive - unavoidable   1453   1,330   2453   665   Petition to revive - unavoidable   1501   1,330   2501   665   Petition to revive - unintentional   1460   130   Petitions to the Commissioner   1460   130   1460   130   Petitions to the Commissioner   1460   130   1460   130   Petitions to the Commissioner   1460   130   Petitions to the Commissioner   1460   130   1460   130   Petitions to the Commissioner   1460   130   1460   130   Petitions to the Commissioner   1460		1251 11	10	2251	55		
Large Entity   Small Entity   Fee		1252 42	20	2252	210	Extension for reply within second month	
1,400   1,40		1253 95	50	2253	475	Extension for reply within third month	
1001 770   2001 385	Fee Fee Fee Fee Description Fee Paid	1254 1,48	80	2254	740	Extension for reply within fourth month	
1002 340   2002 170   Design filing fee   1401 330   2401 165   Notice of Appeal   1402 330   2402 165   Filing a brief in support of an appeal   1403 290 2403 145   Recording each patent assignment per property (times number of properties)   1401 1401 1401 1401 1401 1401 1401 14		1255 2,01	10	2255	1,005	Extension for reply within fifth month	
1004 770 2004 385 Reissue filing fee	, ,	1401 33	30	2401	165	Notice of Appeal	
1005 160   2005 80   Provisional filing fee   SUBTOTAL (1)   (\$) 0.00   1451 1,51		1402 33	30	2402	165	Filing a brief in support of an appeal	
SUBTOTAL (1) (\$) 0.00  2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1004 770 2004 385 Reissue filing fee	1403 29	90	2403	145	Request for oral hearing	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from below Fee Paid 1502 480 2502 240 Design issue fee  Total Claims 36 -20** = D X 86 = 0 1503 640 2503 320 Plant issue fee  Independent Claims Multiple Dependent  Large Entity Small Entity Fee Fee Code (\$)  1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claims in excess of 3 1204 86 2204 43 **Reissue independent claims over original patent  SUBTOTAL (2)  (\$) 0.00  1453 1,330 2453 665 Petition to revive - unintentional 1501 1,330 2501 665 Utility issue fee (or reissue) 1502 480 2502 240 Design issue fee 1503 640 2503 320 Plant issue fee 1504 130 Petitions to the Commissioner 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 Submission of Information Disclosure Stmt 40 Recording each patent assignment per property (times number of properties) 1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1809 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1809 770 2801 385 Request for Continued Examination of a design application  Other fee (specify)  **Reduced by Basic Filling Fee Paid Supprotation	1005 160 2005 80 Provisional filing fee	1451 1,51	10	1451	1,510	Petition to institute a public use proceeding	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from below Fee Paid Independent Claims Multiple Dependent Claims Multiple Dependent  Large Entity Small Entity Fee Fee Code (\$) Code (\$) 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claims in excess of 3 1204 86 2204 43 "Reissue independent claims over original patent substantial substantial substantial patent substantial patent substantial patent substantial substa	SUBTOTAL (1) (\$) 0.00	1452 11	10	2452	55	Petition to revive - unavoidable	
Total Claims   36   -20** =   0     X   18   = 0     1502   480   2502   240   Design issue fee   1503   640   2503   320   Plant issue fee   1604   640   160		1453 1,33	30	2453	665	Petition to revive - unintentional	
Total Claims 36 -20** = 0 X 18 = 0 1503 640 2503 320 Plant issue fee 1460 130 Petitions to the Commissioner 1400 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 1800 1800 Submission of Information Disclosure Stmt 1800 1800 1800 1800 1800 1800 1800 180	Fee from	,				' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	
Independent Claims Multiple Dependent  Large Entity   Small Entity   Small Entity   Fee   Fee   Fee   Fee   Fee   Code (\$)   Code (\$							
Multiple Dependent  Large Entity   Small Entity Fee Fee Fee Fee Fee Fee Fee Fee Code (\$)  1202   18   2202   9   Claims in excess of 20  1201   86   2201   43   Independent claims in excess of 3  1203   290   2203   145   Multiple dependent claims over original patent  1204   86   2204   43   ** Reissue claims in excess of 20  1205   18   2205   9   ** Reissue claims in excess of 20 and over original patent  SUBTOTAL (2)   (\$) 0.00    1807   50   1807   50   Processing fee under 37 CFR 1.17(q)  1806   180   180   Submission of Information Disclosure Stmt    8021   40   8021   40   Recording each patent assignment per property (times number of properties)  1809   770   2809   385   Filing a submission after final rejection (37 CFR 1.129(a))  1810   770   2810   385   For each additional invention to be examined (37 CFR 1.129(b))  1801   770   2801   385   Request for Continued Examination (RCE)  1802   900   1802   900   Request for expedited examination of a design application  Other fee (specify)  **Reduced by Basic Filing Fee Paid (17) (20) 0.00	Independent 4 2** - D x 86 -0	1					
Large Entity   Small Entity   Fee Fee   Fee Fee   Fee Code (\$)   1806   180   1806   180   180   180   Submission of Information Disclosure Stmt   1806   180   180   180   180   Submission of Information Disclosure Stmt   1806   180   180   180   Submission of Information Disclosure Stmt   1806   180   180   180   180   Submission of Information Disclosure Stmt   1802   1809	Cialitis						
Fee Fee Code (\$)  1202 18  1202 9 Claims in excess of 20  1201 86  1202 14 Independent claims in excess of 3  1203 290  1204 43 **Reissue independent claims over original patent  1205 18  1205 9 **Reissue claims in excess of 20  1809 770  1809 770  1809 770  2809 385 Filing a submission after final rejection (37 CFR 1.129(a))  1810 770  2810 385 For each additional invention to be examined (37 CFR 1.129(b))  1801 770 2801 385 Request for Continued Examination (RCE)  1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify)  *Reduced by Basic Filing Fee Paid  SUBTOTAL (2) (\$) 0.00						· "	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 **Reissue independent claims over original patent 1205 18 2205 9 **Reissue claims in excess of 20 and over original patent  SUBTOTAL (2) (\$) 0.00  1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1801 770 2801 385 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify) **Reduced by Basic Filing Fee Paid Support AL (2) (\$) 0.00	Fee Fee Fee Fee Description						
1201 86 1201 43 Independent claims in excess of 3 1203 290 1204 86 1204 43 **Reissue independent claims over original patent 1205 18 1206 9 **Reissue claims in excess of 20 and over original patent  SUBTOTAL (2)  [\$\$\frac{1809}{2201} 770   2809 385 Filing a submission after final rejection (37 CFR 1.129(a))  1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b))  1801 770 2801 385 Request for Continued Examination (RCE)  1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify)  *Reduced by Basic Filing Fee Paid Support AL (2) (\$\frac{1}{2}\$) 0.00		8021	40	8021	40	property (times number of properties)	
1203 290 1204 86 1204 43 ** Reissue independent claims over original patent 1205 18 1205 9 ** Reissue claims in excess of 20 and over original patent  SUBTOTAL (2)  (\$) 0.00  1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1801 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify) *Reduced by Basic Filing Fee Paid SUBTOTAL (2) (8) 0.00		1809 7	70	2809	385		
1204 86 2204 43 Reissue independent claims over original patent  1801 770 2801 385 Request for Continued Examination (RCE)  1205 18 2205 9 Reissue claims in excess of 20 and over original patent  1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify)  *Reduced by Basic Filing Fee Paid Support AL (2) (5) 0.00		1810 7	70	2810	385	For each additional invention to be	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent  SUBTOTAL (2) (\$) 0.00  1802 900 Request for expedited examination of a design application  Other fee (specify)  *Reduced by Basic Filing Fee Paid SUBTOTAL (2) (\$) 0.00		1801 7	,,,	2801	385	, ,	
SUBTOTAL (2) (\$) 0.00 Other fee (specify) Suprotal (2) (\$) 0.00 Suprotal (2) (\$) 0.00	1205 18 2205 9 ** Reissue claims in excess of 20	1				Request for expedited examination	
SUBTOTAL (2) (\$) 0.00 *Reduced by Basic Filing Fee Paid SUBTOTAL (2) (\$) 0.00		Other fee	(SDF	ecifv)		or a design application	
- or number previously paid, if greater; For Keissues, see above		1			Filing F	ee Paid SUBTOTAL (3) (\$) 0.00	
SUBMITTED BY (Complete (if applicable))							

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Registration No.

(Attorney/Agent)

50,804

Telephone 408-765-4692

September 13, 2004



Attorney's Docket No.:

42390.P13150

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ryan Rakvic, et al.

Application No. 10/038,038

Filed: 01/02/2002

Title: METHOD AND SYSTEM TO

**IDENTIFY SLOWABLE** 

**INSTRUCTIONS** 

Examiner: Kenneth S. Kim

Art Unit: 2111

Commissioner For Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

# RESPONSE AND AMENDMENT TO NON-COMPLIANT REQUIREMENT

Sir:

In response to the Notice of Non-Compliant Amendment mailed on August 31, 2004, applicants respectfully request entry of the following amendment and consideration of the following remarks.

### **CERTIFICATE OF TRANSMISSION**

37 C.F.R. § 1.8(a)
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on

Date: September 13, 2004

Name:

David N) Tran

Signature: